

House Bill 135

By: Representatives Oliver of the 82nd, Au of the 50th, Evans of the 89th, Draper of the 90th,
Romman of the 97th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia
2 Annotated, relating to carrying and possession of firearms, so as to establish the offense of
3 failure to adequately secure a firearm; to provide for a penalty; to provide for related matters;
4 to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated,
8 relating to carrying and possession of firearms, is amended by adding a new Code section to
9 read as follows:

10 "16-11-132.1.

11 (a) Any owner of a firearm who possesses, stores, or leaves the firearm in a manner in
12 which he or she knew or should have known that another individual could obtain the
13 firearm shall be guilty of the offense of failure to adequately secure a firearm when the
14 firearm is obtained by:

15 (1) A minor and exhibited in a public place or while making a threat of violence; or

16 (2) Any individual, regardless of age, and used during the commission of a crime or
17 during an act which results in the injury or death of such individual or another when such
18 act was not the lawful defense of people or property.

19 (b) A violation of this Code section shall be a misdemeanor punishable by a fine of not
20 less than \$500.00."

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.